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QUALCOMM INCORPORATED  
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SAN DIEGO, CA 92121

EXAMINER
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AGA, SORI A

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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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*Ex parte* KARTHIKA PALADUGU and YIH-HAO LIN

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Appeal 2016-002283  
Application 13/352,529  
Technology Center 2400

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Before ROBERT E. NAPPI, ERIC S. FRAHM, and  
ALEX S. YAP, *Administrative Patent Judges*.

NAPPI, *Administrative Patent Judge*.

DECISION ON APPEAL

This is a decision on appeal under 35 U.S.C. § 134(a) from the final rejection of claims 1 through 31, 65, 67, and 69. We have jurisdiction under 35 U.S.C. § 6(b).

We affirm.

## INVENTION

This invention is directed to system in which user equipment in a dormant state transmits a request message to an access network which indicates the type of communication session requested. *See Abstract.*

Claim 1 is representative of the invention and reproduced below.

1. A method of operating a user equipment (UE) in a wireless communications system, comprising:

receiving a request to set-up a communication session of a given type while the UE is in a dormant state of a radio resource control (RRC) connected mode;

configuring, in response to the received request, a state transition request message (i) to request that an access network transition the UE from the dormant state to a target state and to obtain a network-assigned serving cell-specific identifier for exchanging data between the UE and the serving cell in association with the communication session of the given type and (ii) to indicate the given type of the communication session; and

transmitting the state transition request message to the access network.

## REJECTION AT ISSUE

The Examiner has rejected claims 1 through 31, 65, 67, and 69 under 35 U.S.C. § 103(a) as unpatentable over Wang (US 2011/0269463), and Farnworth (US 2013/0189992). Final 3–14; Answer 6–17.<sup>1</sup>

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<sup>1</sup> Throughout this Decision, we refer to the Appeal Brief filed March 31, 2015, the Reply Brief filed December 14, 2015, Final Action mailed December 8, 2014, and the Examiner’s Answer mailed October 22, 2015.

## ISSUES

Appellants argue, on pages 9 through 14 of the Appeal Brief and pages 2 through 6 of the Reply Brief, that the Examiner's rejection of independent claims 1, 65, 67, and 69 is in error. These arguments present us with the following issue: Did the Examiner find that the combination of Wang and Farnsworth teach a message to indicate a given type of communication session as recited in representative claim 1?

## ANALYSIS

We have reviewed Appellants' arguments in the Appeal Brief and the Reply Brief, the Examiner's rejection, and the Examiner's response to Appellants' arguments. Appellants' arguments have not persuaded us of error in the Examiner's rejection of independent claim 1 or claims 2 through 31, 65, 67, and 69 which are not argued separately and thus grouped with claim 1.

Appellants' arguments are premised upon the assertion that Farnsworth's cell update message not providing a CS call type indication. App. Br. 9–14.

The Examiner responds by finding that the term "indicate" is broad and interprets the term to include "allude, imply, insinuate or suggest." Answer 17–18. Based upon this interpretation the Examiner finds that Farnsworth teaches sending a Traffic Volume Indicator (TVI) causes a transition to establish a CS call. Answer 17–18. We have reviewed the Examiner's findings and concur with the Examiner's findings.

Initially we note that Appellants do not dispute the Examiner's claim interpretation but rather assert that Farnsworth does not teach a message

which alludes to implies, insulates or suggests a type of communication session. App. Br. 10. We disagree and find that Farnsworth teaches sending a message indicating a CS communication. Specifically, Farnsworth teaches in Figures 7 and 8 (and the paragraphs 98–114, which discuss Figures 7 and 8) that the TVI flag is not set unless a call indicator is set and then a message is sent (para. 112). This message is indicative of (implies and suggests) a CS communication, since the step of setting the TVI flag and sending the message is not reached until after step 812 (or 712) a CS call is pending) (i.e. if the CS call is not pending the step 840 (or 740) is not reached). Thus, we consider the Examiner’s finding to be reasonable. Accordingly, we are not persuaded of error in the Examiner’s rejection of representative claim 1 or claims 2 through 31, 65, 67, and 69 which are not argued separately and thus grouped with claim 1.

We note that the Examiner has provided an alternative rationale finding that the TVI message could also be interpreted as indicating a “larger data” communication session. Answer 18–19. As we concur with the Examiner that the TVI message of Farnsworth is indicative of a CS communication type, we do not reach the alternative rationale and have not considered Appellants’ arguments directed to this alternative rationale.

## DECISION

The decision of the Examiner to reject claims 1 through 31, 65, 67, and 69 is affirmed.

Appeal 2016-002283  
Application 13/352,529

No time period for taking any subsequent action in connection with this appeal may be extended under 37 C.F.R. § 1.136(a)(1)(iv).

AFFIRMED